## NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY:  Department of Marine Resources

STATUTORY AUTHORITY:  12 M.R.S.A. Sections 6172 and 6192

**RULE REPEAL AND PROMULGATION:**  DMR Regulation 95.09 G, Closed Area No. 55-B, Howard Cove - Starboard Cove, Bucks Harbor, promulgated on December 12, 1989, is repealed and replaced with the following rule:

**TEXT OF RULE:**  DMR Regulation 95.09 G, Closed Area No. 55-B, Howard Cove - Starboard Cove, Bucks Harbor.

1.      Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of Starboard Cove and Howard Cove inside and westerly of a line beginning at  a red-painted post (at the top of the natural seawall, near the fish weir, at the head of Howard Cove) approximately 1000 feet west of the entrance to the Jasper Beach salt pond; then extending southerly to an un-named point at the southern mouth of Howard Cove; and continuing southwesterly to the point on the northeast shore of Starboard Creek where said creek enters Starboard Cove.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: July 13, 1999

AGENCY CONTACT PERSON:          Paul S. Anderson
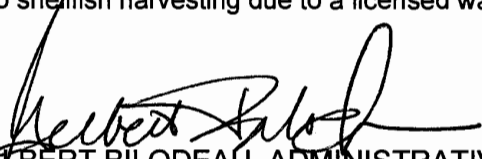                                Department of Marine Resources
                                McKown Point
                                W. Boothbay Harbor, ME  04575

BANGOR DAILY NEWS
July 16, 1999

### STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.09 G, Closed Area No. 55-B, Howard Cove - Starboard Cove, Bucks Harbor, promulgated on December 12, 1989, and enacts a new emergency regulation.  This regulation opens the easterly shores, flats and waters of Howard Cove to shellfish harvesting. The western shores of Howard Cove and Starboard Cove shores will remain closed to shellfish harvesting due to a licensed wastewater discharge outfall.

GILBERT BILODEAU, ADMINISTRATIVE OFFICER
FOR GEORGE LAPOINTE, COMMISSIONER
AS AUTHORIZED BY 12 MRSA SECTION 6023

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# Department of Marine Resources
Legal Notice of Shellfish Closure Area C55B, Howard and Starboard Coves.

Red Post

Fishing Weir

Howard
Cove

Howard
Pt.

N

C55B

Machias Bay

Starboard Creek

Starboard
Cove

Point of
Maine

| 0.5 | 0 | 0.5 | 1 | 1.5 Miles |